

STATE OF NEW YORK
SURROGATE'S COURT, COUNTY OF NEW YORK

Proceeding to Compel Delivery
of Property by Fiduciary of

File No. P 2781-1962

Estate of
MARILYN MONROE,

AFFIDAVIT

Deceased

AARON R. FROSCHE, being duly sworn deposes and says,

I make this Affidavit in connection with proceeding
in the above captioned Estate, brought on by Order to Show Cause
Order
toward obtaining/ of this Court for the delivery of certain photo-
graphs and certain color transparencies of MARILYN MONROE to
TOM KELLEY based on his claim that he is the owner thereof.

Said transparencies came to my attention, as Executor
of the Estate of MARILYN MONROE, within the last year. Subse-
quently, there was an international press notice that these trans-
parencies existed and I had possession thereof. Since that time,
claim has been made by LEE STRASBERG, beneficiary of her personal
effects, under the Last Will and Testament of MARILYN MONROE, that
these transparencies represent personal effects of the Decedent
and accordingly, he is entitled to them. Also, the claim of
MR. KELLEY to the effect that he was the owner of the said trans-
parencies and that he had loaned these to MISS MONROE prior to
her death.

Sworn to before me, this

day of

19

therein.

NO OTHER serious offer for the acquisition of or claim of ownership of the said transparencies, to my knowledge, has been made.

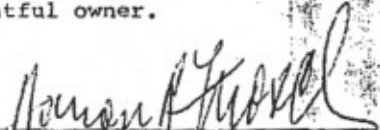
I have examined the "model release" attached to Mr. Kelley's moving papers herein and believe the signature thereon to be that of MARILYN MONROE.

I have no basis of believing the said transparencies are not owned by MR. TOM KELLEY and that they were loaned to the Decedent prior to her death.

Although the transparencies physically may represent personal affects of the Decedent, I questioned whether reproduction or any other rights thereto are personal affects of the Decedent.

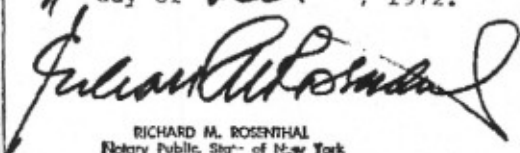
I recognize that the Decedent has no rights of privacy and her Estate has no exclusive right to her image.

Accordingly, I take no position in relation to the ownership of the said transparencies but pray the Court to reach a decision in regard to the ownership thereof, so they may be distributed by the Estate to their rightful owner.


AARON R. FROSCH

Sworn to before me this

11th day of *Dec.*, 1972.


RICHARD M. ROSENTHAL
Notary Public, State of New York
No. 31-374782
Qualified in New York County
Commission Expires March 30, 1973

Sworn to before me, this

day of

19

therein.